

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 9

In the Matter of

APPALACHIAN REGIONAL HEALTHCARE, INC.

Employer

and

Case 9-AC-105

KENTUCKY NURSES ASSOCIATION

Petitioner

DECISION
AND
AMENDMENT OF CERTIFICATION

Upon a petition filed on May 12, 2008 and an amended petition filed on May 29, 2008 under Section 9(b) of the National Labor Relations Act, as amended, careful investigation and consideration took place.

Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned Regional Director.

Upon the entire record in this proceeding, I find:

1. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein.
2. The Petitioner proposes to amend the certification issued by the Regional Director on February 26, 1976 in Case 9-RC-11323. In that case, the Kentucky Nurses Association was certified as the bargaining representative of the employees in the following unit as described in the parties' current collective-bargaining agreement:

Registered Nurses in the job classification Staff Nurse I, (including those employed in ARH's Home Services Unit, Psychiatric Unit and the ARH Cancer Center), and Graduate Nurse, at its hospital located in Hazard, Kentucky, 41701, on Route 80-100 Medical Center Drive; excluding all other Registered Nurses and Registered Nurses employed in the Family Health Services Division, all office clerical employees, all other employees, guards, and supervisors as defined in the Act.

On April 14-18, 2008, after proper notice, an election was conducted in which a majority of the members voted to disaffiliate from the Kentucky Nurses Association, adopt the new name Southern United Nurses and continue to affiliate with United American Nurses. Further, there is evidence of substantial continuity between the Kentucky Nurses Association and its Collective Bargaining Division and Southern United Nurses. The Employer has raised no objections to the disaffiliation and name change.

3. Accordingly, the Certification of Representative issued on February 26, 1976 in Case 9-RC-11323 should be, and it hereby is, amended as follows: by substituting Southern United Nurses as the certified union.

Dated at Cincinnati, Ohio this 8th day of July 2008.

/s/ Gary W. Muffley, Regional Director

Gary W. Muffley, Regional Director
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